

Regular Session, 2010

SENATE BILL NO. 382

BY SENATOR MORRELL

COASTAL RESOURCES. Provides relative to integrated coastal protection and recovery for certain losses arising from business interruption. (8/15/10)

AN ACT

To enact R.S. 49:214.11, relative to hurricane protection, flood control and coastal restoration; to provide relative to recovery for certain losses arising from integrated coastal protection; to provide terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:214.11 is hereby enacted to read as follows:

§214.11. Right of action; business interruption; integrated coastal protection

A. In addition to any other action authorized by law, there shall be a right of action to seek damages or compensation from the state or a political subdivision for losses arising from the interruption of a business activity as a result of integrated coastal protection.

B. There shall be no recovery by the claimant for the first fifty thousand dollars of loss. Additionally, any amount recovered under the provisions of Subsection A shall be reduced by the amount of any insurance proceeds received by the claimant from a policy for business interruption.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. W. Wiley.

DIGEST

Proposed law provides that in addition to any other action authorized by present law, there will be a right of action to seek damages or compensation from the state or a political subdivision for losses arising from the interruption of a business activity as a result of integrated coastal protection.

Proposed law provides that there will be no recovery by the claimant for the first \$50,000.00 of loss. Further provides that any amount recovered under the provisions of proposed law will be reduced by the amount of any insurance proceeds received by the claimant from a policy for business interruption.

Effective August 15, 2010.

(Adds R.S. 49:214.11)